

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JENNIFER LODGE,

Plaintiff,

Case No. 13-11785

Honorable Thomas L. Ludington

v.

CRED X DEBT RECOVERY, LLC,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**

Jennifer Lodge's complaint alleges various claims under the Fair Debt Collection Practices Act against Cred X Debt Recovery, LLC. Cred X was served with a summons and a copy of the complaint on May 6, 2013, but never answered. On May 31, 2013, Lodge requested a Clerk's entry of default, which was filed against Cred X on June 3, 2013. On September 23, 2013, Lodge filed a motion for default judgment. Previously, all pretrial matters in this case were referred to United States Magistrate Judge Charles E. Binder pursuant to 28 U.S.C. § 636(b)(1).

On October 15, 2013, Judge Binder issued a report recommending that Lodge's motion for default judgment be granted and \$7,234 be awarded in damages. Although Judge Binder's report explicitly stated that the parties to this action may object to and seek review of the recommendation within 14 days of service of the report, as of today's date, neither party has filed objections. The failure to object to Judge Binder's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Moreover, the failure to file objections to the report waives any further right to appeal. *See Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, it is **ORDERED** that the Judge Binder's report and recommendation, ECF No. 10, is **ADOPTED**.

It is further **ORDERED** that Lodge's motion for default judgment, ECF No. 9, is **GRANTED**.

It is further **ORDERED** that Lodge is **DIRECTED** to submit a proposed judgment through the Court's ECF utilities function by November 18, 2013.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: November 5, 2013

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 5, 2013.

s/Tracy A. Jacobs
TRACY A. JACOBS